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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,377	02/11/2004	Catherine M. Phillips	555255-012-711	3930
33787	7590	07/19/2007		
JOHN J. OSKOREP, ESQ. ONE MAGNIFICENT MILE CENTER 980 N. MICHIGAN AVE. SUITE 1400 CHICAGO, IL 60611			EXAMINER MEHRPOUR, NAGHMEH	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 07/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/776,377	Applicant(s) PHILLIPS ET AL.	
	Examiner Naghmeh Mehrpour	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1-24**, are rejected under 35 U.S.C. 103(a) as being unpatentable over McElwain et al.(US patent Number 2003/0022689 A1) in view of Hicks et al. (US Patent 7,027,813 A1), and in further view of Makela et al. (US Patent 7,099,687).

Regarding claim 1, 10, McElwain teaches in mobile station a method for use in manually selecting a communication network comprising:

receiving through a user interface of the mobile station an end user input to perform a manual network selection procedure (0054);

in the manual network selection procedure;

scanning to identify a plurality of communication networks in a coverage area within which the mobile station is operating (0048);

retrieving a plurality of network identifiers corresponding to the plurality of identified communication networks (0054);

visually displaying the plurality of network identifiers retrieved (0054);

receiving through the user interface a user input selection of one of the identified communication networks as represented by the plurality of network identifiers being visually displayed (0054); and

registering with the selected communicated network corresponding to the user input selection (0056).

McElwain fails teach retrieving a plurality of network identifiers corresponding to the plurality of communication networks in accordance with an Enhanced Operator Name String (EONS) protocol. However, Hicks teaches retrieving a plurality of network identifiers corresponding to the plurality of communication networks in accordance with an Enhanced Operator Name String (EONS) protocol (col 1 lines 64-67, col 2 lines 1-10). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Hicks with McElwain, in order to provide determining whether the mobile is in a home area or in a roaming area.

McElwain modified by Hickes fails to teach a manual network selection. However, Makela teaches a user manual network selection (col 10 lines 12-67, col 11 lines 1-5). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Makela with McElwain modified by Hicks, in order to enable the user select a system that is less expensive than others.

Regarding claims 2, 11, McElwain fails to teach a method/mobile of claim 1, wherein the act of retrieving comprises retrieving each network identifier based on a country code, a region code, and a cell number. However, Hicks teaches a method/mobile of claim 1,

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wherein the act of retrieving comprises retrieving each network identifier based on a country code, a region code, and a cell number (col 2 lines 25-40). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Hicks with McElwain, in order to provide determining whether the mobile is in a home area or in a roaming area.

Regarding claims 3, 12, McElwain fails to teach a method/mobile of claim 1, wherein the act of retrieving comprises retrieving each network identifier based on a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC).

However, Hicks teaches a method/mobile of claim 1, wherein the act of retrieving comprises retrieving each network identifier based on a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC) (co 1 lines 64-67, col 2 lines 1-10). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Hicks with McElwain, in order to provide determining whether the mobile is in a home area or in a roaming area.

Regarding claims 4, 13, McElwain teaches a method/mobile of claim 1, wherein the plurality of network identifiers comprises at least two network identifiers that are substantially the same (0039).

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Regarding claims 5, 14, McElwain teaches a method/mobile of claim 1, wherein the act of retrieving comprises retrieving from memory of a Subscriber Identity Module (SIM) (0038).

Regarding claims 6, 15, McElwain teaches a method/mobile of claim 1, further comprising:

visually displaying the network identifier corresponding to the selected communication network (0054).

Regarding claim 7, McElwain teaches a method of claim 1, wherein the act of retrieving comprises retrieving from memory of a Subscriber Identity Module (SIM) (0038); comprising:

visually displaying the network identifier corresponding to the selected communication network (0054). McElwain fails to teach a method retrieving from SIM based on a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC). However, Hicks teaches a method retrieving from SIM based on a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC) (col 1 lines 25-40). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Hicks with McElwain, in order to provide determining whether the mobile is in a home area or in a roaming area.

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Regarding claims 8, McElwain teaches a method of claim 1, wherein the mobile station comprises a Global System for Mobile (GSM) and General Packet Radio Service (GPRS) compatible mobile station (0048).

Regarding claim 9, McElwain fails to teach a method of claim 1, comprising the further act of: providing an automatic network selection method based on the EONS protocol.

However, Hicks teaches a method of claim 1, comprising the further act of:

providing an automatic network selection method based on the EONS protocol (col 1 lines 64-67, col 2 lines 1-18). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Hicks with McElwain, in order to provide determining whether the mobile is in a home area or in a roaming area.

Regarding claim 16, McElwain fails to teach a mobile station of claim 15, wherein the processor is further operative to retrieve each network identifier based a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC).

However, Hickes teaches a mobile station of claim 15, wherein the processor is further operative to retrieve each network identifier based a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC) (col 2 lines 25-40).

Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Hicks with McElwain, in order to provide determining whether the mobile is in a home area or in a roaming area.

Regarding claim 17, McElwain teaches a mobile station of claim 10, further comprising: a Subscriber Identity Module (SIM) interface through which the processor is operative to retrieve the plurality of network identifiers (0038); the visual display is further operative to visually display the network identifier corresponding to the selected communication network (0054). McElwain fails to teach a mobile wherein the processor is further operative to retrieve each network identifier through the SIM interface based a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC). However, Hicks teaches a mobile wherein the processor is further operative to retrieve each network identifier through the SIM interface based a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC) 9col 2 lines 25-40). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Hicks with McElwain, in order to provide determining whether the mobile is in a home area or in a roaming area.

Regarding claim 18, McElwain teaches a mobile station of claim 10, further comprising a Global System for Mobile (GSM) and General Packet Radio Service (GPRS) compatible mobile station (0048)

Regarding claims 19, 21, McElwain teaches a method of manually selecting a communication network in a mobile station comprising the acts of:

scanning to identify a plurality of communication networks in a coverage area within which the mobile station is operating (0048);

simultaneously visually displaying the plurality of network identifiers, including at least two network identifiers that are substantially identical (0054);

receiving a user input selection of one of the communication networks after visually displaying the plurality of network identifiers (0054);

registering with the selected communication network (0054); and

visually displaying the network identifier associated with the selected communication network (0056). McElwain fails to teach a method of manually selecting a communication network in a mobile station comprising the acts of:

retrieving, from memory of a Subscriber Identity Module (SIM), a plurality of network identifiers corresponding to the plurality of communication networks in accordance with an Enhanced Operator Name String (EONS) protocol;

wherein each network identifier is retrieved based on a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC). However, Hicks teaches a method of manually selecting a communication network in a mobile station comprising the acts of:

retrieving, from memory of a Subscriber Identity Module (SIM), a plurality of network identifiers corresponding to the plurality of communication networks in accordance with an Enhanced Operator Name String (EONS) protocol (col 1 lines 64-67, col 2 lines 1-25);

wherein each network identifier is retrieved based on a Mobile Country Code (MCC), a Mobile Network Code (MNC), and a Location Area Code (LAC) (col 2 lines 25-40). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Hicks with McElwain, in order to provide determining whether the mobile is in a home area or in a roaming area. McElwain modified by Hickes fails to teach a manual network selection. However, Makela teaches a user manual network selection(col 10 lines 12-67, col 11 lines 1-5). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching of Makela with McElwain modified by Hicks, in order to enable the user select a system that is less expensive that others.

Regarding claims 20, McElwain teaches a method of claim 19, wherein the mobile station comprises a Global System for Mobile (GSM) and General Packet Radio Service (GPRS) compatible mobile station (0048).

Regarding claim 22, McElwain teaches a mobile station of claim 21, comprising a Global System for Mobile (GSM) and General Packet Radio Service (GPRS) compatible mobile station (0048).

Regarding claim 23, McElwain teaches a mobile station of claim 21, wherein the processor is further operative to retrieve the plurality of network identifiers from memory of the SIM (0038).

Regarding claim 24, McElwain teaches a mobile station of claim 21, wherein at least two network identifiers which are retrieved and visually displayed are substantially the same (0054).

Response to Arguments

2. Applicant's arguments with respect to claims 1-24, have been considered but are moot in view of the new ground(s) of rejection.

The references made herein are done so for the convenience of the applicant. They are in no way meant to limit the reference. The reference **MUST** be considered in its entirety.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

4. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913. The examiner can normally be reached on 8:00- 6:00.

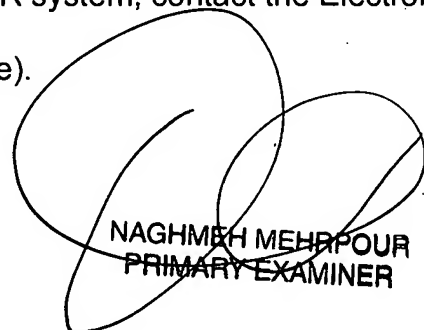
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah be reached (571) 272-7904.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

July 10, 2007



NAGHMEH MEHRPOUR
PRIMARY EXAMINER